

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

RAFFEL SYSTEMS, LLC,

Plaintiff,

v.

Case No. 18-CV-1765

**MAN WAH HOLDINGS LTD., INC.,
MAN WAH (USA) INC., and XYZ
COMPANIES 1-10,**

Defendants.

RAFFEL SYSTEMS, LLC,

Plaintiff,

v.

Case No. 21-CV-1167

**BOB'S DISCOUNT FURNITURE, LLC,
MACY'S, INC., AND COSTCO
WHOLESALE CORPORATION,**

Defendants.

DECISION AND ORDER ON PLAINTIFF'S MOTION TO REASSIGN CASE

Currently pending before me is Raffel System, LLC's lawsuit against Man Wah Holdings Ltd., Inc., Man Wah (USA) Inc., and XYZ Companies 1–10 (collectively "Man Wah"), arising out of Man Wah's alleged infringement of various Raffel patents. On October 8, 2021, Raffel sued Bob's Discount Furniture, LLC, Macy's, Inc., and Costco Wholesale Corporation for selling furniture containing cup holders that allegedly infringe its U.S. Patent. No. 11,089,701 ("the '701

Patent”), which was issued on August 10, 2021. (Complaint in 21-CV-1167.) Case No. 21-CV-1167 was assigned to Magistrate Judge William E. Duffin.

Raffel now moves to reassign Case No. 21-CV-1167 to me because it relates to Case No. 18-CV-1765. Raffel asserts that the ‘701 Patents shares the same specifications as the patents addressed by the Court in Case No. 18-CV-1765. (Docket # 5 in 21-CV-1167 and Docket # 374 in 18-CV-1765.) Raffel states that it mistakenly failed to check the “related” case item when it filed the civil cover sheet in Case No. 21-CV-1167. (*Id.*) Defendants do not object to the motion.

Civil L.R. 3(b) (E.D. Wis.) provides that when the civil cover sheet discloses a pending related civil action, the new civil action will be assigned to the same judge. Factors to be considered in determining whether the actions are related include whether the actions: (i) arise from substantially the same transaction or events; (ii) involve substantially the same parties or property; or (iii) involve the same patent, trademark or copyright. Furthermore, the judge to whom the action with the lower case number is assigned must resolve any dispute as to whether the actions are related.

Because Case No. 21-CV-1167 involves infringement of a patent with the same specifications as those patents already addressed by the Court in Case No. 18-CV-1765, I find Case No. 21-CV-1167 should be reassigned to this Court. Raffel’s motion is granted.

ORDER

NOW, THEREFORE, IS IT HEREBY ORDERED that plaintiff’s motion to reassign case (Docket # 374 in Case No. 18-CV-1765 and Docket # 5 in Case No. 21-CV-1167) is **GRANTED**. Case No. 21-CV-1167 is reassigned to Magistrate Judge Nancy Joseph. Magistrate Judge Duffin is no longer assigned to the case.

Dated at Milwaukee, Wisconsin this 3rd day of January, 2022.

BY THE COURT

A handwritten signature in black ink, reading "Nancy Joseph". The signature is written in a cursive style with a long horizontal flourish extending to the right.

NANCY JOSEPH
United States Magistrate Judge